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असाधारण EXTRAORDINARY

भाग II—खण्ड 2 PART II—Section 2

प्राधिकार से प्रकाशित PUBLISHED BY AUTHORITY

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NEW DELHI, FRIDAY, DECEMBER 6, 1985/AGRAHAYANA 15, 1907

प्रस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filled as a separate compliation

RAJYA SABHA

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The following Bill was introduced in the Rajya Sabha on 6th December, 1985:—

BILL NO. XXVIII OF 1985

A Bill further to amend the University Grants Commission Act. 1956.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. This Act may be called the University Grants Commission (Amendment) Act, 1985.

Short title.

3 of 1956.

2. In the University Grants Commission Act, 1956, in section 6, for sub-section (1), the following sub-section shall be substituted, namely:—

Amendment of section 6.

- "(1) A person appointed as Chairman, Vice-Chairman or other member after the commencement of the University Grants Commission (Amendment) Act, 1985 shall, unless he sooner becomes disqualified for continuing as such under the rules that may be made under this Act,—
 - (a) in the case of Chairman, hold office for a term of five years or until he attains the age of sixty-five years, whichever is earlier;

- (b) in the case of Vice-Chairman, hold office for a term of three years or until he attains the age of sixty-five years, whichever is earlier;
- (c) in the case of any other member, hold office for a term of three years:

Provided that-

- (i) a person who has held office as Chairman or Vice-Chairman shall be eligible for further appointment as Chairman, Vice-Chairman or other member, and
- (ii) a person who has held office as any other member shall be eligible for further appointment as Chairman, Vice-Chairman or other member:

Provided further that a person who has held office for two terms, in any capacity, whether as Chairman, Vice-Chairman or other member [excluding a member referred to in clause (a) of sub-section (3) of section 5], shall not be eligible for any further appointment as Chairman, Vice-Chairman or other member.".

STATEMENT OF OBJECTS AND REASONS

Sections 5 and 6 of the University Grants Commission Act, 1956 provide for the appointment and continuance in office of the Chairman, Vice-Chairman and members of the Commission. According to these provisions, unless disqualified for continuing in office by the rules made under the Act, the Chairman shall hold office for a term of five years and the Vice-Chairman and other members for a term of three years. Section 6 further provides that a person who has held office for two terms in any capacity shall not be eligible for any further appointment in the same capacity.

- 2. The rules regarding disqualifications, retirement and conditions of service of members of the Commission provide that, unless there is a contract to the contrary, the Chairman shall retire on completing the age of 65 years. However, there is no such provision in the rules in respect of the Vice-Chairman.
- 3. The views have been expressed that the provision for retirement of the Chairman in the rules is not consistent with the provisions of the Act and if a retirement age has to be prescribed, necessary provision for the purpose should be made in the Act itself. The amendment seeks to make provisions for the retirement of the Chairman and Vice-Chairman.
- 4. Two of the members of the Commission are chosen from among the officers to represent the Central Government. These members are appointed by virtue of the offices they hold. The restriction of two terms in the Act, therefore, places a limitation on these appointments. The amendment also seeks to remove this restriction in the case of members representing the Central Government on the Commission.
 - 5. The Bill seeks to achieve the above objects.

New Delhi;

The 3rd December, 1985.

SUSHILA ROHTAGI.

SUDARSHAN AGARWAL, Secretary-General.